

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**CHRISTINA MONGELLI,**  
**Plaintiff,**

**v.**

**RED CLAY CONSOLIDATED SCHOOL  
DISTRICT BOARD OF EDUCATION; *et al*,**  
**Defendants.**

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**: Civil Action No. 05-359 SLR**

**MOTION TO AMEND SCHEDULING ORDER**

The Plaintiff hereby moves the Court to amend the Scheduling Order, dated June 30, 2006, in the following respects:

Paragraph 2(g) of the Scheduling Order dated June 30, 2006, relating to reports from retained experts, be amended to provide that reports from plaintiff's retained experts are due on or before **November 15, 2006** and rebuttal expert reports are due on or before **December 15, 2006**.

In support of this Motion, it is represented as follows:

1. In connection with this litigation, plaintiff has retained the services of David Black, Ph.D. ("Dr. Black") to provide expert report and testimony (if necessary) concerning the plaintiff's past and future economic losses which resulted from the termination of her employment by defendant.

2. Dr. Black has recently advised plaintiff's counsel that his report will not be completed by October 31, 2006 and that he needs additional time, not to exceed two weeks, to complete the report.

**Certification Under Local Rule 7.1.1**

3. On October 24, 2006, plaintiff's counsel advised defense counsel concerning the above facts to determine if a Stipulation to extend the deadline for providing expert reports could be presented to the Court. Defense counsel advised that he did not object to the requested extension of time, but did raise an objection that the report would include a calculation of future lost income., based on defendant's contention that plaintiff would not be entitled to any recovery of future lost income. Defense counsel then asked plaintiff's counsel to provide a draft Stipulation, which would preserve defendant's objection. Such a proposed Stipulation was sent to defense counsel by e-mail on October 24, 2006.

4. Plaintiff's counsel called defense counsel on October 26, 2006 to determine the status of the proposed Stipulation, but has not received any response.

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 27, 2006, I electronically filed the foregoing Motion to Amend Scheduling Order with the Clerk of the Court using CM/ECF which will send notification of such filing to the following:

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